

1964

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H.R. 10328. An act for the relief of certain commissioned officers of the Army or Air Force who were erroneously paid uniform allowance under the provisions of section 305 of the Career Compensation Act of 1949, as amended, and for other purposes; and

H.R. 12193. An act to amend title 10, United States Code, to provide for the establishment of a program of cash awards for suggestions or inventions made by members of the Armed Forces which contribute to the efficiency, economy, or other improvement of Government operations.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on Armed Services:

H.R. 2500. An act to equalize the treatment of Reserves and Regulars in the payment of per diem;

H.R. 10328. An act for the relief of certain commissioned officers of the Army or Air Force who were erroneously paid uniform allowance under the provisions of section 305 of the Career Compensation Act of 1949, as amended, and for other purposes; and

H.R. 12193. An act to amend title 10, United States Code, to provide for the establishment of a program of cash awards for suggestions or inventions made by members of the Armed Forces which contribute to the efficiency, economy, or other improvement of Government operations.

Bill

PRESIDENT JOHNSON'S REMARKS
ON THE GOVERNMENT EMPLOYEES SALARY REFORM ACT
OF 1964

Mr. JOHNSTON. Mr. President, in signing into law, on August 14, the Government Employees Salary Reform Act of 1964, President Johnson highly praised the bipartisan spirit of the Congress in enacting what he called "one of the most profound advances in the last 30 years or longer."

I should like to add to the words of the President my thanks to my colleagues on both sides of the aisle for their helpful and unbiased consideration and support of this historic bill.

The President said:

Of the many measures enacted this year, this legislation ranks near the top of the list in importance to the entire country. This is more than just a pay bill. It is, as the title says, a reform measure. * * * For the first time this gives us the tools to identify and inspire, to reward and retain excellence in our Federal service.

I ask unanimous consent that the full text of President Johnson's remarks on the pay bill be printed at this point in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF PRESIDENT LYNDON B. JOHNSON
ON SIGNING THE CIVILIAN PAY RAISE BILL

"Members of Congress, ladies and gentlemen, for many reasons, this is both a proud and a very gratifying occasion for me. There have been 16 Presidents in the 20th century. Only one of that number has had the opportunity to sign his name to more major legislation from one session of Congress than I will sign this year. In fact, I think it can be said that, while there were a few exceptions, this Congress has displayed a greater freedom

from mere partisanship than any other peacetime Congress since the administration of President Washington himself."

Those words are not my own. As some may recognize, that was the tribute paid to the 2d session of the 73d Congress on June 28, 1934, by President Franklin D. Roosevelt. That session produced 32 major legislative accomplishments. This session of the energetic, evenhanded, and effective 88th Congress has produced 25 major measures already. Since none of us are in a hurry to get home, there may be many more.

There is one indelible lesson from this. Our American system functions best when it functions as the Founding Fathers intended, without divisive partisanship, with a united will to put the country and the people first. We don't have to have stalemates. We don't have to have issues carrying over from session to session, generation to generation, or even century to century. We can make this system work and that is what Members of both parties in both Houses of the Congress of doing.

Of the many measures enacted this year, this legislation ranks near the top of the list in importance to the entire country. This is much more than just a pay bill. It is, as the title says, a reform measure, the Government Employees Salary Reform Act of 1964. For the first time this gives us the tools to identify and inspire, to reward and retain excellence in our Federal service. This is one of the most profound advances in the last 30 years or longer. We are very sensibly putting behind us in this country the concept that the Federal service can be treated indifferently as a massive, mindless, faceless, anonymous bureaucracy.

America's challenges cannot be met in this modern world by mediocrity at any level, public or private. All through our society we must search for brilliance, welcome genius, strive for excellence and this measure will help us to do that in our Federal Government. This legislation provides both the flexibilities and the incentives to recognize differences between marginal, competent, and superior performance.

I hope that every responsible manager will use these tools fully, use them equitably, and use them conscientiously. Our continuing goal is to fulfill the mandate of making Federal salaries reasonably comparable with those of private life. Alongside that goal is the parallel objective of expecting and achieving high productivity. Everyone in the Federal service, from the lowest grade to the highest, has the responsibility of assuring the American taxpayer full value for every dollar spent and that no dollar will be spent unnecessarily.

The U.S. Government has great responsibilities as our largest employer. This legislation helps us set a better example. I might note especially that the salary increases, when averaged across the years of no increase, are within the range of the wage guideposts suggested for private enterprise.

I congratulate the Congress, the Federal employees, and the leaders of their groups who are here this morning and I might say a special thanks to three outstanding journalistic "congressmen," the gentlemen from the Washington Post, Star, and News, Mr. Klutts, Mr. Young, and Mr. Cramer.

STUDENT LOAN PROGRAMS FOR
QUALIFIED SCHOOLS OF OP-
TOMETRY

Mr. MANSFIELD. Mr. President, I unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar 1376, Senate bill 2180.

The PRESIDING OFFICER (Mr. McIntyre in the chair). Is there objection?

There being no objection, the bill (S. 2180), to amend title VII of the Public Health Service Act so as to extend to qualified schools of optometry those provisions thereof relating to student loan programs was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 740(a) of the Public Health Service Act is amended by striking out "or dentistry" and inserting "dentistry, or optometry".

(b) Section 740(b)(4) of such Act is amended by striking out "or doctor of osteopathy" and inserting "doctor or osteopathy, or doctor of optometry or an equivalent degree".

(c) Section 741(b) of such Act is amended by striking out "or doctor of osteopathy" and inserting "doctor of osteopathy, or doctor of optometry or an equivalent degree".

(d) Section 741(c) of such Act is amended by striking out "or dentistry" and inserting "dentistry, or optometry".

By unanimous consent, the following excerpt from the report (No. 1441) was ordered to be printed in the RECORD:

SUMMARY

S. 2180 would extend to the students of optometry the provisions of the Health Professions Educational Assistance Act of 1963 (Public Law 88-129) that now authorize long-term, low-cost loans to students of medicine, dentistry, and osteopathy.

BACKGROUND

In recognition of the shortage of qualified optometrists the Congress last year approved legislation (Public Law 88-129) that authorizes Federal assistance to accredited schools of optometry for the construction of facilities in order to expand our training capacity. But part C of that act that authorizes loans for students of medicine, dentistry, and osteopathy omitted the profession of optometry. If we are to effectively combat the shortage of optometrists a program of student loans to complement the program of construction grants is essential.

THE NEED

The 10 existing schools of optometry are a national resource in that they must supply all 50 States with qualified optometric manpower, an asset that we depend upon to assist in maintaining good vision.

We now have approximately 17,000 optometrists in practice and some 6,000 ophthalmologists who are trained to prescribe corrections for refractive errors. There are many evidences that this supply of trained practitioners is insufficient to meet existing needs. In the future the shortage will become more acute unless we take steps now to recruit an adequate supply of trained personnel to maintain our visual acuity.

We have provided assistance for the construction of facilities and student loans in the case of young men and women who wish to be trained as ophthalmologists, but in the case of optometry only the assistance for constructing facilities is presently authorized. Testimony presented to this committee indicated that a program of student loans, such as that authorized in Public Law 88-129, at schools of optometry would greatly assist in expanding our supply of well-trained optometrists.

The 17,000 practicing optometrists in the United States care for a population of 191 million people; a ratio of 1 optometrist to every 11,279 persons. The American Optometric Association estimates that we need

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not less than 1 optometrist for every 7,000 Americans.

The American Optometric Association estimates that the capacity at existing schools of optometry is not fully used. For the country as a whole only 80-85 percent of the capacity is being utilized. One of the obstacles to full utilization is the problem of finances. The American Optometric Association reports that 30 percent of the letters of inquiry by prospective students of optometry also include requests for financial assistance. Some 7 percent write at the last minute that they are financially unable to enter school. The University of Houston reported rejection of 60 requests by optometry and preoptometry students during 1962 because of inadequate funds.

Training in optometry consists of 2 years of preprofessional work that is offered at all colleges and universities that offer the subjects that are required. The final 3 years of work at the professional level is offered only at the 10 schools of optometry. Some schools require 4 years of work at the professional level. Four of the university schools offer graduate training that qualifies a candidate for the Ph. D. degree in physiological optics.

The costs to the student for attending 3 years of optometric school average \$6,600. This is somewhat less than the costs of attending medical or dental school for 4 years where the costs average \$15,000 according to the testimony of the Department of Health, Education, and Welfare.

Since the costs of medical and dental education are higher than those for optometric education, the committee expects that the amount of the average loan to physicians and dentists will be higher than the average amount loaned to optometric students. The maximum loan authorized by Public Law 88-129 is \$2,000 per year.

THE COST

S. 2628 does not provide for any increase in the amounts authorized to be appropriated under Public Law 88-129.

PSYCHOTOXIC DRUG CONTROL ACT OF 1964

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar 1377, Senate bill 2628.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 2628) to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to regulate the manufacture, compounding, processing, distribution, delivery, and possession of habit-forming barbiturate drugs, amphetamine, and other habit-forming central nervous system stimulant drugs and other drugs that have a potential for abuse resulting in psychotoxic effects or antisocial behavior, which had been reported from the Committee on Labor and Public Welfare, with amendments, on page 1, line 7, after the word "barbiturates," to strike out "in" and insert "amphetamines and other habit-forming central nervous system stimulant drugs, and other"; on page 4, line 2, after the word "its", to insert "medically"; in line 5, after the word "investigation," to strike out "has found to have, and" and insert "find as, and"; at the beginning of line 7, to strike out "as having, a potential for abuse that may result in psychotoxic effects or anti-

social behavior" and insert "as, affecting or altering to a substantive extent, consciousness, the ability to think, critical judgment, motivation, psychomotor coordination, or sensory perception, and having a potential for abuse when used without medical supervision"; on page 7, line 12, after the word "section", to strike out "(b)" and insert "(a)"; on page 8, line 10, after the word "the", to strike out "rate" and insert "date"; at the beginning of line 15, to insert "having"; on page 9, at the beginning of line 19, to strike out "(f)" and insert "(e)"; on page 11, line 10, after the word "section", to strike out "115" and insert "201 (v)"; and on page 13, at the beginning of line 4, to strike out "7" and insert "9"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Psychotoxic Drug Control Act of 1964".

Findings and declaration

SEC. 2. The Congress hereby finds and declares that there is a widespread illicit traffic in barbiturates, amphetamines and other habit-forming central nervous system stimulant drugs, and other psychotoxic drugs moving in or otherwise affecting interstate commerce; that the use of such drugs, when not under the supervision of a licensed practitioner, may cause a wide variety of acute and chronic changes in psychological functioning, social behavior, or personality, such as difficulties in judgment and coordination, disorderly thinking, disturbances in mood, bizarre and abnormal perceptual experiences and more severe behavior disturbances such as attempted suicide and antisocial activities; that this illicit traffic results in extensive sale and distribution of such drugs to juveniles and youths, as well as adults, not under the supervision of a licensed practitioner; that the use of such drugs by juveniles, when not under the supervision of a licensed practitioner, may lead them to perform acts of delinquency and crime and to experiment with narcotic drugs, which experimentation may result in narcotic addiction; that the use of such drugs, when not under the supervision of a licensed practitioner, often endangers safety on the highway and otherwise has become a threat to the public health and safety, making additional regulations of such drugs necessary regardless of the intrastate or interstate origin of such drugs; that in order to make regulation and protection of interstate commerce in such drugs effective, regulation of intrastate commerce is also necessary because, among other things, such drugs, when held for illicit sale, often do not bear labeling showing their place of origin and because in the form in which they are so held or in which they are consumed a determination of their place of origin is often extremely difficult or impossible; and that the regulation of interstate commerce without the regulation of intrastate commerce in such drugs, as provided in this Act, would discriminate against and depress interstate commerce in such drugs.

Control of psychotoxic drugs

SEC. 3. (a) Section 201 of the Federal Food, Drug, and Cosmetic Act is amended by adding at the end thereof the following:

"(v) The term 'psychotoxic drug' means—

"(1) any drug which contains any quantity of (A) barbituric acid or any of the salts of barbituric acid; or (B) any derivative of barbituric acid which has been designated by the Secretary under section 502(d) as habit forming;

"(2) any drug which contains any quantity of (A) amphetamine or any of its opti-

cal isomers; (B) any salt of amphetamine or any salt of an optical isomer of amphetamine; or (C) any substance which the Secretary, after investigation, has found to be, and by regulation designated as, habit forming because of its medically stimulant effect on the central nervous system; or

"(3) any drug which contains any quantity of a substance which the Secretary, after investigation finds as, and by regulation designates as, affecting or altering to a substantive extent, consciousness, the ability to think, critical judgment, motivation, psychomotor coordination, or sensory perception, and having a potential for abuse when used without medical supervision: except that the Secretary shall not designate under this paragraph, or under clause (C) of paragraph (2), any substance that is now included, or is hereafter included, within the classification stated in section 4731, and marihuana as defined in section 4761, of the Internal Revenue Code of 1954 (26 U.S.C. 4731, 4761)."

(b) Chapter V of such Act is amended by adding at the end thereof the following new section:

"Psychotoxic drugs

"Sec. 511. (a) No person shall manufacture, compound, or process any psychotoxic drug, except that this prohibition shall not apply to the following persons whose activities in connection with such drugs are solely as specified in this subsection:

"(1) Manufacturers, compounders, and processors who have listed their names and places of business with the Secretary and who are regularly engaged or seek to be engaged, and are otherwise qualified, in preparing pharmaceutical chemicals or prescription drugs for distribution through branch outlets, through wholesale druggists, or by direct shipment, (A) to pharmacies or to hospitals, clinics, public health agencies, or physicians, for dispensing by registered pharmacists upon prescriptions, or for use by or under the supervision of practitioners licensed by law to administer such drugs in the course of their professional practice, or (B) to laboratories or research or educational institutions for their use in research, teaching, or chemical analysis.

"(2) Wholesale druggists who maintain establishments in conformance with local laws and are regularly engaged in supplying prescription drugs (A) to pharmacies, or to hospitals, clinics, public health agencies, or physicians, for dispensing by registered pharmacists upon prescriptions, or for use by or under the supervision of practitioners licensed by law to administer such drugs in the course of their professional practice, or (B) to laboratories or research or educational institutions for their use in research, teaching, or clinical analysis.

"(3) Pharmacies, hospitals, clinics, and public health agencies, which maintain establishments in conformance with any applicable local laws regulating the practice of pharmacy and medicine and which are regularly engaged in dispensing prescription drugs upon prescriptions of practitioners licensed to administer such drugs for patients under the care of such practitioners in the course of their professional practice.

"(4) Practitioners licensed by law to prescribe or administer psychotoxic drugs, while acting in the course of their professional practice.

"(5) Persons who use psychotoxic drugs in research, teaching, or chemical analysis and not for sale.

"(6) Officers and employees of the United States, a State government, or a political subdivision of a State, while acting in the course of their official duties.

"(7) An employee of any person described in paragraph (1) through paragraph (5), and a nurse or other medical technician under the supervision of a practitioner licensed by law to administer such drugs, while such